

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

BRIAN KEITH MCKENZIE (1)

Case No. 3:18-CR-303-S

**FACTUAL RESUME**

In support of Brian Keith McKenzie's plea of guilty to the offense in Count One of the indictment, McKenzie, the defendant, Courtney Stamper, the defendant's attorney, and the United States of America (the government) stipulate and agree to the following:

**ELEMENTS OF THE OFFENSE**

To prove the offense alleged in Count One of the indictment, charging a violation of 18 U.S.C. § 876(c), that is, Mailing Threatening Communications, the government must prove each of the following elements beyond a reasonable doubt:<sup>1</sup>

- First.* That the defendant knowingly caused to be delivered in the mail, for delivery by the Postal Service, a communication containing a threat, as charged;
- Second.* That the nature of the threat was to injure any person; and
- Third.* That the recipient was a United States Judge.

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<sup>1</sup> Fifth Circuit Pattern Jury Instruction 2.40 (5th Cir. 2015).

**STIPULATED FACTS**

1. The defendant admits and agrees that on or about February 20, 2018, in the Northern District of Texas, the defendant, knowingly caused to be delivered by the United States Postal Service, according to the directions thereon, a communication dated February 16, 2018, addressed to Fed Judge T.R.M. 501 W. 10th St. Suite #201 Fort Worth, TX 76102, containing a threat to injure United States District Court Judge T.R.M.

2. Specifically, the defendant sent a letter to 501 W. 10<sup>th</sup> St. Suite #201 Fort Worth, Texas 76102, addressed to Federal District Judge T.R.M. The envelope had a return address of “Brian Keith McKenzie” #0420911 56-B-28, 100 Lamar St. Ft. Worth, TX 76196. The defendant, using his medication, grounded it to a white powdery substance, and placed it in the envelope in an attempt to make it look like Anthrax. The defendant also wrote a letter stating the following:

“Judge – I am sending you some Antarxx to kill you for your part of what you did to me, you put me in prison and for that you will die by my hand! So here is a little bit of Anthrazz pwder! Die you son of a \*\*\*\*\*!”

3. In an interview conducted by the United States Postal Inspector Service (USPIS) on March 01, 2018, the defendant admitted to writing the letter and sending it to United States District Court Judge T.R.M. The defendant continued to verbally make homicidal threats towards Judge T.R.M.

4. On February 15, 2018, the defendant tried to send a letter to 1600 Pennsylvania Ave. Washington D.C. 20006, addressed to the President of the United States, Donald Trump. The defendant, using his medication, grounded it to a white

powdery substance, and placed it in the envelope in an attempt to make it look like

Anthrax. The defendant also wrote a letter stating the following:

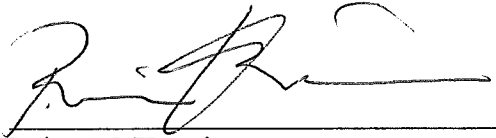
“Pres Trump – Here is some Anthraxx!!! For you mother\*\*\*\*!!!  
I am going to ESCAPE from Tarrant County jail and go to 1600 Pennsylvania  
Ave Washington D.C. And kill your \*\*\*\*ing \*\*\*\*\* \*\*\* I am going to be  
know with all the great ones John Hinckley Jr., Tim McVae, The Branch  
Davidian David Koresh I am going to kill you!!!”

5. In an interview conducted by the United States Secret Service (USSS) on February 21, 2018, the defendant admitted that he has access to firearms. In addition the defendant claimed he and his friends make explosives with home cleaning products and ammonium nitrates.

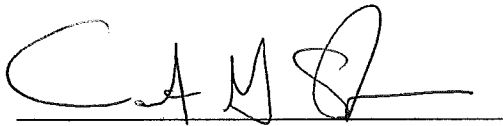
6. The defendant agrees that the defendant committed all the essential elements of the offense. This factual resume is not intended to be a complete accounting of all the facts and events related to the offense charged in this case. The limited purpose of this statement of facts is to demonstrate that a factual basis exists to support the defendant’s guilty plea to Count One of the Indictment.

[NOTHING FURTHER ON THIS PAGE]

AGREED TO AND STIPULATED on this 29 day of May, 2019.

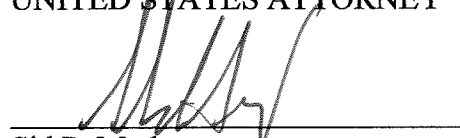


Brian McKenzie  
Defendant



Courtney Stamper  
Attorney for Defendant

ERIN NEALY COX  
UNITED STATES ATTORNEY



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